FILE COPY

FILED
FEB
CHARLES E.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1931.

No. 667.

ATLANTIC CLEANERS AND DYERS, INC., ET AL.,
Appellants,

v.

UNITED STATES OF AMERICA, *Appellee.*

On appeal from the Supreme Court of the District of Columbia.

STATEMENT AS TO JURISDICTION ON APPEAL.

DALE D. DRAIN,
Attorney for Appellants, Atlantic Cleaners and Dyers, Inc., a corporation, Globe Dry Cleaners and Dyers, a corporation, Samuel Rubenstein, Charles Rubenstein, John F. McCarron and Samuel Grozbeun.

ALVIN L. NEWMYER,
Attorney for Appellants, Arcade-Sunshine Co., a corporation, and Harry Viner.

SELIG C. BREZ,
Attorney for Appellants, Vogue Dry Cleaning Company, a corporation, and Samuel Goldenberg.

PRESS OF BYRON S. ADAMS, WASHINGTON, D. C.

IN THE

Supreme Court of the United States

OCTOBER TERM, 1931.

No. 667.

ATLANTIC CLEANERS AND DYERS, INC., ET AL.,
Appellants,

v.

UNITED STATES OF AMERICA, *Appellee.*

On appeal from the Supreme Court of the District of Columbia.

STATEMENT AS TO JURISDICTION ON APPEAL.

May it please the Court:

The appellants in support of the jurisdiction of this Court to review the above entitled cause on appeal respectfully represent:

A

STATUTORY PROVISIONS SUSTAINING JURISDICTION.

The Act of February 11, 1903, Chapter 544, Section 2, 32 Stat. 823, as amended by the Act of March 3, 1911, Chapter 231, Section 291, 36 Stat. 1167 (United States Code, Title 15, Section 29), provides:

> "In every suit in equity brought in any district court of the United States under any of the laws mentioned in the preceding section, wherein the United States is complainant, an appeal from the final decree of the district court will lie only to the Supreme Court and must be taken within sixty days from the entry thereof."

B

DATE OF DECREE AND DATE OF APPLICATION FOR APPEAL.

The decree sought to be reviewed was entered on 5th day of November, 1931 (R. 29).*

The application for appeal was presented on the 2nd day of January, 1932 (R. 34).

C

NATURE OF CASE AND RULING BELOW.

This is a suit in equity brought by the United States under Section 4 of the Sherman Anti-Trust Act of July 2, 1890, Chapter 647, 26 Stat. 209 (United States Code, Title 15, Section 4), to enjoin alleged violations of that statute (R. 1-7). The decree granted the relief prayed for against these appellants (R. 29).

---

*All references to the record are to the pages of the certified unprinted record prepared by the Clerk of the Supreme Court of the District of Columbia and on file with the Clerk of this Court. The record has not yet been printed.

D

CASES BELIEVED TO SUSTAIN JURISDICTION.

The following decisions of this Court are believed to sustain jurisdiction of this appeal:

United States v. California Co-operative Canneries, 279 U. S. 553.
Swift & Company v. United States, 276 U. S. 311.

We respectfully submit that this Court has jurisdiction of this appeal by virtue of Section 2 of the Act of February 11, 1903, as amended by the Act of March 3, 1911 (U. S. C., Title 15, Section 29).

Respectfully submitted,

DALE D. DRAIN,
Attorney for Appellants, Atlantic Cleaners and Dyers, Inc., a corporation, Globe Dry Cleaners and Dyers, a corporation, Samuel Rubenstein, Charles Rubenstein, John F. McCarron and Samuel Grozbean.

ALVIN L. NEWMYER,
Attorney for Appellants, Arcade-Sunshine Co., a corporation, and Harry Viner.

SELIG C. BREZ,
Attorney for Appellants, Vogue Dry Cleaning Company, a corporation, and Samuel Goldenberg.